

# APPLICATION TO SEGREGATE A WATER RIGHT

## STATE OF UTAH

01-165

Segregation No. 40104-a

For the purpose of obtaining permission to segregate a water right, application is hereby made to the State Engineer, based upon the following showing of facts, and submitted in accordance with the requirements of the Laws of Utah:

1. The name of the applicant is Paul Fritz c/o De-Oro or X-Four Co. (Demar Perkins)  
Frederick Rogers, Ross Musselman
2. The Post Office address of the applicant is P.O. Box 248 Monticello, Utah 84535

### THE WATER RIGHT DESCRIBED AS FOLLOWS IS OWNED BY APPLICANT:

3. The right was acquired by A-40104 (01-89)  
(Give number of application)
4. The quantity of water which has or was to have been used is 4.0 second-feet or  
..... acre-feet.
5. The water has been or was to have been used for and during periods as follows:  

Irrigation	from	March 15	to	November 15	incl.
		(Month) (Day)		(Month) (Day)	
Stockwater	from	January 1	to	December 31	incl.
		(Month) (Day)		(Month) (Day)	
and stored each year (if stored)	from		to		incl.
		(Month) (Day)		(Month) (Day)	
6. The direct source of supply is Colorado River in Grand County.  
(well, spring, stream, drain, river; if other explain.)
7. The point or points of diversion S. 440 ft. & E. 3830 ft. from W $\frac{1}{4}$  Cor.  
Sec. 8, T23S, R24E, SLB&M.

8. The water involved has been or was to have been used for the following:

SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 7, S $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 8, all T23S, R24E, SLB&M.

Total 200 acres.

NOTE. If used for irrigation, give legal subdivision of land and total acreage which has been or was to have been irrigated. If for other purposes, give nature, place, and extent of past or proposed use.

9. The point at which the water has been or was to have been returned to the stream channel is located as follows:

NOTE: To be filled in only in case all or part of the water is returned to the natural channel.

### THE WATER RIGHT DESCRIBED ABOVE IS PROPOSED FOR SEGREGATION AS FOLLOWS:

10. The quantity of water to be segregated is 2.0 second-feet or ..... acre-feet  
and the use or uses being segregated is or are: Irrigation: Pts. of SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 7,  
S $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 8, all T23S, R24E, SLB&M.

Total 100 acres.



Further explanation The water being segregated and used in the mining and milling of gold and silver. The water will be hauled and pumped to the place of use.

11. The quantity of water remaining in the original application after segregation will be 2.0 second-feet or acre-feet, and the use or uses is or are: Irrigation: SE 1/4 SE 1/4 Sec. 7, S 1/2 SW 1/4, W 1/2 SE 1/4 Sec. 8, all T23S, R24E, SLB&M.
- Total 100 acres.

Further explanation:

NOTE: If the use or uses described are by numbers of acres irrigated, stock water, they and the flow or acre-foot award to the right should be segregated proportionately. However, if the use or uses is, or are, of a nature such as industrial, cafe, motel, service station, or a complex of these, then each use must be defined and evaluated in flow or acre-feet needed before segregation.

If there is a disproportionate segregation of quantity or uses, the applicant must designate an acre-foot limitation or value for the total water right before segregation and for each use being segregated by this application.

If the uses to be herein segregated are presently indicated as being supplied water from other sources and the term supplemental is used on the application or right herein segregated, there must be designated an acre-foot evaluation to clarify the supplemental term, both on the application or right being segregated, and on the segregation application.

Dec. 8, 1981 by Bill Mac Jackson  
Applicant

(Not to be filled in by Applicant)

### STATE ENGINEER'S ENDORSEMENTS

- Dec. 8, 1981 Application to Segregate rec'd ~~over counter~~ by mail in State Engineer Office by up
- June 29, 1970 Priority of original Application.
- Jan. 13, 1982 Fee for filing Application \$15.00, rec'd by up Rec. No. 22-50
- Application microfilmed by Roll Indexed by
- Application platted by
- 1-13-B2 Application examined by up
- Application returned, corrected by office
- Corrected Application resubmitted ~~over counter~~ by mail to State Eng. Office.
- Application designated for approval rejection by
- 2-3-82 Application ~~rejected~~ approved and returned to applicant.

This Application to Segregate is approved on the following conditions:

- Proof of Appropriation shall be submitted to the State Engineer's Office by
- 10-13-84

State Engineer

- Time for making Proof of Appropriation extended to
- Proof of Appropriation submitted.
- Certificate of Appropriation, No., issued.



COPY

Application No.

40104

APPLICATION TO APPROPRIATE WATER  
STATE OF UTAH

Title Change

11/16/72

NOTE:—The information given in the following blanks should be free from explanatory matter, but when necessary, a complete supplementary statement should be made on the following page under the heading "Explanatory."

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for uses indicated by (X) in the proper box or boxes, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

1. Irrigation ☒ Domestic ☐ Stockwatering ☒ Municipal ☐ Power ☐ Mining ☐ Other Uses ☐ *342 Moab, UT*
  2. The name of the applicant is James T. McPherson Paul Fritz P.O. Box 30 Arco Idaho
  3. The Post Office address of the applicant is P.O. Box 507, Moab, Utah 84532
  4. The quantity of water to be appropriated is 4.0 2.0 second-feet or 500 (01-165) acre-feet
  5. The water is to be used for Stockwatering from January 1 to December 31  
(Major Purpose) (Month) (Day) (Month) (Day)  
other use period Irrigation from March 15 to November 15  
(Minor Purpose) (Month) (Day) (Month) (Day)  
and stored each year (if stored) from \_\_\_\_\_ to \_\_\_\_\_  
(Month) (Day) (Month) (Day)
  6. The drainage area to which the direct source of supply belongs is \_\_\_\_\_  
(Leave Blank)
  7. The direct source of supply is\* Colorado River  
(Name of stream or other source)  
which is tributary to \_\_\_\_\_, tributary to \_\_\_\_\_
- \*Note.—Where water is to be diverted from a well, a tunnel, or drain, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a drain, so indicate in the first space, giving its name, if named, and in the remaining spaces, designate the stream channels to which it is tributary, even though the water may sink, evaporate, or be diverted before reaching said channels. If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.
8. The point of diversion from the source is in Grand County, situated at a point\*  
S. 440 ft. and E. 3830 ft. from the W $\frac{1}{2}$  Cor. of Sec. 8, T23S, R24E, SLB&M.  
M. Box 2
- \*Note.—The point of diversion must be located definitely by course and distance or by giving the distances north or south, and east or west with reference to a United States land survey corner or United States mineral monument, if within a distance of six miles of either, or if at a greater distance, to some prominent and permanent natural object. No application will be received for filing in which the point of diversion is not defined definitely.
9. The diverting and carrying works will consist of pump, diversion ditches & watering troughs
  10. If water is to be stored, give capacity of reservoir in acre-feet \_\_\_\_\_ height of dam \_\_\_\_\_  
area inundated in acres \_\_\_\_\_ legal subdivision of area inundated \_\_\_\_\_
  11. If application is for irrigation purposes, the legal subdivisions of the area irrigated are as follows:  
SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 7; S $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  of Sec. 8; all T23S, R24E, SLB&M.  
Lots: 6 (NW $\frac{1}{4}$  of Sec. 1); 7 (SW $\frac{1}{4}$  of Sec. 1); 8 (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ); 9 (SW $\frac{1}{4}$ SW $\frac{1}{4}$ )  
See (01-165)  
Total 200 100 Acres
  12. Is the land owned by the applicant? Yes X No \_\_\_\_\_ If "No," explain on page 2.
  13. Is this water to be used supplementally with other water rights? Yes \_\_\_\_\_ No X  
If "yes," identify other water rights on page 2.
  14. If application is for power purposes, describe type of plant, size and rated capacity \_\_\_\_\_
  15. If application is for mining, the water will be used in \_\_\_\_\_ Mining District at  
the \_\_\_\_\_ mine, where the following ores are mined \_\_\_\_\_
  16. If application is for stockwatering purposes, number and kind of stock watered \_\_\_\_\_  
200 head of cattle
  17. If application is for domestic purposes, number of persons \_\_\_\_\_, or families \_\_\_\_\_
  18. If application is for municipal purposes, name of municipality \_\_\_\_\_
  19. If application is for other uses, include general description of proposed uses \_\_\_\_\_
  20. Give place of use by legal subdivision of the United States Land Survey for all uses described in paragraphs 14 to 19, incl. Same as 11 above.
  21. The use of water as set forth in this application will consume 4.0 2.0 second-feet of water  
and \_\_\_\_\_ second feet will be returned to the natural stream or source at a point described  
as follows: \_\_\_\_\_



# FEES FOR APPLICATIONS TO APPROPRIATE WATER IN UTAH

Flow rate — c.f.s.	Cost
0.0 to 0.1 .....	\$ 10.00
over 0.1 to 0.5 .....	20.00
over 0.5 to 1.0 .....	30.00
over 1.0 to 15.0 .....	30.00
over 15.0 .....	100.00

plus \$5 for each cfs above the first cubic foot per second.

Storage — acre-feet	
0 to 20 .....	15.00
over 20 to 500 .....	30.00
over 500 to 7500 .....	30.00
over 7500 .....	100.00

plus \$5 for each 500 a.f. above the first 500 acre feet.

(This section is not to be filled in by applicant)

## STATE ENGINEER'S ENDORSEMENTS

1. June 24, 1970 Application received ~~over counter~~ <sup>by mail</sup> in State Engineer's office by MCK
2. .... Priority of Application brought down to, on account of .....
3. .... Application fee, \$....., received by ..... Rec. No. ....
4. .... Application microfilmed by ..... Roll No. ....
5. .... Indexed by ..... Platted by .....
6. June 30, 1970 Application examined by MCK
7. .... Application returned, ..... or corrected by office .....
8. .... Corrected Application resubmitted <sup>by mail</sup> ~~over counter~~ to State Engineer's office.
9. July 20, 1970 Application approved for advertisement by MCK
10. .... Notice to water users prepared by .....
11. .... Publication began; was completed .....
12. .... Notice published in .....
13. .... Proof slips checked by .....
14. .... Application protested by .....
15. .... Publisher paid by M.E.V. No. ....
16. .... Hearing held by .....
17. .... Field examination by .....
18. .... Application designated for <sup>approval</sup> ~~rejection~~
19. <sup>13</sup> 10/8/70 Application <sup>approved</sup> ~~rejected~~ copied or photostated by ..... proofread by .....
20. Conditions:

This Application is approved, subject to prior rights, as follows:

- a. Actual construction work shall be diligently prosecuted to completion.
- b. Proof of Appropriation shall be submitted to the State Engineer's office by .....
- c. Ext 2-28-82 (Memo) Oct. 12, 1984 (end 14 year period)

State Engineer

21. .... Time for making Proof of Appropriation extended to P.D. 2/28/80
22. .... Proof of Appropriation submitted.
23. .... Certificate of Appropriation, No. ...., issued

Application No. ....



01-165

**Application for Permanent Change of Point of Diversion  
Place and Nature of Use of Water  
STATE OF UTAH**

Please clearly and correctly complete the information requested below which defines the right or rights being changed. (Type or clearly print.)

For the purpose of obtaining permission to permanently change: the point of diversion ☒, place ☒, or nature of use ☒, of water rights acquired by Seg. Appl. 40104-a  
(Give Number of Application, certificate of appropriation, title and date of Decree or other identification of right.)

If the right described has been amended by a previous approved change application, give the number of such change application. No. ....

- Paul Fritz c/o De-Oro or X-Four Company  
(Demar Perkins), Frederick Rogers, Ross Musselman
1. The name of the applicant is .....
2. The post-office address of the applicant is P.O. Box 248 Monticello, Utah 84535 .....
3. The flow of water which has been or was to have been used in second-feet is 2.0 .....
4. The quantity of water which has been or was to have been used in acre-feet is .....
5. The water has been or was to have been used for and during periods as follows:

Irrigation ..... from March 15 ..... to November 15 ..... incl.  
(purpose) (month) (day) (month) (day)

..... from ..... to ..... incl.  
(purpose) (month) (day) (month) (day)

and stored each year (if stored) ..... from ..... to ..... incl.  
(month) (day) (month) (day)

6. The direct source of supply is Colorado River ..... in Grand ..... County.  
(well, spring, stream, drain, river; if other explain)
7. The point or points of diversion S. 440 ft. & E. 3820 ft. from W $\frac{1}{4}$  Cor. .....
- Sec. 8, T23S, R24E, SLB&M. .....

(Must be the same as that of right being changed unless a previous change has been filed and approved. Then use the point or points approved in the previous change.)

8. Diversion works:

If a well give diameter and depth Pump, open ditches, etc. .....

If a dam and reservoir give height, capacity, and area inundated .....

If other give type of diversion facility .....

9. The water involved has been or was to have been used for the following purposes in the following described legal subdivisions: (If used for irrigation, state sole or supplemental supply, and describe other supplemental rights.)

Irrigation SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 7, S $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 8, T23S, R24E, SLB&M. .....

Total acres to be irrigated 100 acres. .....

Stockwatering (number and kind) .....

Domestic (number of families and/or persons, etc.) .....

Other .....

10. The point at which water has been or was to have been returned to the stream channel is situated as follows: (Please describe method of return.) .....

Note: Paragraph 10 is to be completed only when all or part of the water is returned to the natural stream or channel.

**The Following Changes Are Proposed**

11. The flow of water to be changed in cubic feet per second is .....
12. The quantity of water to be changed in acre-feet is 500 .....



13. The water will be used each year for:

Mining & Milling from January 1 to December 31 incl.  
(purpose) (month) (day) (month) (day)  
from to incl.  
(purpose) (month) (day) (month) (day)  
and stored each year (if stored) from to incl.  
(month) (day) (month) (day)

14. It is now proposed to divert the water from Colorado & Dolores Rivers  
(i.e., spring, spring area, stream, river, drain, well, etc.)  
at a point(s) as follows: Colorado River: 1) E. 1400 ft. 2) N. 2075 ft. & E. 4275 ft. both from  
SW Cor. Sec. 8; Dolores River: 3) N. 1050 ft. & W. 675 ft. from SE Cor. Sec. 9; 4) N. 1400 ft. &  
W. 1425 ft. from SE Cor. Sec. 10; 5) S. 1450 ft. & E. 1020 ft. from NW Cor. Sec. 11, all T23S, R24E,  
NOTE: The "point of diversion," or "point of return," must be located by course and distance or by rectangular distances  
with reference to some regularly established United States land corner or United States mineral monument if within a  
distance of six miles of either, or if a greater distance to some prominent and permanent natural object. A spring area  
must also be described by metes and bounds. SLB&M.

15. The proposed diverting and conveying works will consist of: (if a well, state diameter and depth thereof)  
Portable pump, pipeline, or hauling trucks to place of use.

16. If water is to be stored, give capacity of reservoir in acre-feet height of dam  
area inundated in acres legal subdivisions of area inundated

17. The water is to be used for the following purposes in the following described legal subdivisions: (if used  
for irrigation, state sole or supplemental supply, and describe other supplemental rights.)

Irrigation  
Total acres to be irrigated  
but limited to the sole irrigation supply of acres.  
Stockwatering (number and kind)  
Domestic (number of families and/or persons, etc.)  
Other Mining & Milling of gold and silver

18. If paragraphs 11 and 12 designate that only part of the right described in paragraphs 1 to 10 inclusive  
is to be changed, designate the status of the water so affected by this change as to its being abandoned  
or used as heretofore.

### EXPLANATORY

The following additional facts are set forth in order to define more clearly and completely the full  
purpose of the proposed change: Paragraph #17 continued: Places of Uses:

All Sections T17S, R25 & 26 E; All sections T18S, R24, 25, 26E; All sections  
T19, 25, 26E; All sections T20S, R22, 23, 24, 25, 26E; All Sections T21S,  
R19, 24, 25E; All Sections T22S, R19, 20, 21, 22, 23, 24E; SE 1/4 Sec. 9,  
SW 1/4, NE 1/4, Sec. 10, Sec. 11, Sec. 12, E 1/2 NE 1/4 Sec. 13, N 1/2 Sec. 15, N 1/2 Sec. 16,  
W 1/2 NW 1/4 Sec. 18, T23S, R24E, SLB&M.

The undersigned hereby acknowledges that even though he may have been assisted in the preparation  
of the above-numbered application through the courtesy of the employees of the State Engineer's Office, all  
responsibility for the accuracy of the information contained therein, at the time of filing, rests with the  
applicant.

Do - Ciro by *Donner Tucker*  
Signature of Applicant



(This page not to be filled in by applicant)

## STATE ENGINEER'S ENDORSEMENTS

1. Dec. 8, 1981 Change Application received over counter by mail in State Engineer's office by up
2. \_\_\_\_\_ Priority of right to make change brought down to, on account of \_\_\_\_\_
3. Jan. 13, 1982 Fee for filing Application \$ 100.00 up, received by \_\_\_\_\_, Receipt No. \_\_\_\_\_
4. \_\_\_\_\_ Application microfilmed by \_\_\_\_\_ Roll No. \_\_\_\_\_ and indexed by \_\_\_\_\_
5. \_\_\_\_\_ Application platted by \_\_\_\_\_
6. 1-13-82 Application examined by up
7. \_\_\_\_\_ Application returned, with letter, to \_\_\_\_\_ for correction
8. \_\_\_\_\_ Corrected application resubmitted over counter by mail to State Engineer's office \_\_\_\_\_
9. 1-13-82 Application approved for advertisement by up
10. \_\_\_\_\_ Notice to water users prepared by \_\_\_\_\_
11. Mar. 11, 1982 Publication began, was completed March 18 & 25, 1982 Times Independent
12. \_\_\_\_\_ Proof slips checked by \_\_\_\_\_
13. \_\_\_\_\_ Change Application protested by \_\_\_\_\_
14. \_\_\_\_\_ Publisher paid MEV No. \_\_\_\_\_
15. \_\_\_\_\_ Field Examined by \_\_\_\_\_
16. \_\_\_\_\_ Application designated for approval by \_\_\_\_\_  
rejection
17. \_\_\_\_\_ Change Application copied \_\_\_\_\_ proofread by \_\_\_\_\_
18. 2-2-82 Change Application approved and returned to applicant \_\_\_\_\_  
rejected

This application is approved on the following conditions:

1. Actual construction work necessitated by proposed change shall be diligently prosecuted to completion.
2. Proof of change shall be submitted to the State Engineer's office by \_\_\_\_\_
3. This change is subject to all conditions imposed on the approval of the original application or right  
Under 40104-a

\_\_\_\_\_  
State Engineer

19. \_\_\_\_\_ Time for making proof of change extended to \_\_\_\_\_
20. \_\_\_\_\_ Proof of change submitted.
21. \_\_\_\_\_ Certificate of change No. \_\_\_\_\_, issued.

I hereby certify that the foregoing is a true copy of the Application by \_\_\_\_\_  
to change the point of diversion, place and nature of use of water as shown, with endorsements thereon, on  
the records of my office on the date given below.

Salt Lake City, Utah \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
State Engineer

Change Application No. 9-12141



ASSIGNMENT

CERTIFICATE NO. \_\_\_\_\_  
GRAZING LEASE NO. \_\_\_\_\_  
MINERAL LEASE NO. 39855

APPLICATION NO. 39855

The undersigned, as owner of record title interest as hereinafter specified in and to ML 39855; GL \_\_\_\_\_; Certificate No. \_\_\_\_\_ as designated, for good and valuable consideration and Ten DOLLARS does hereby assign to George D. Fehr ADDRESS: 53 East 400 So., Suite 216, Salt Lake City, Utah 84111  
The rights, title, and interest in rights and privileges as lessee in such lands, to the extent indicated, subject to the reservation of overriding royalties as herein noted:

1. Land affected by this assignment in County of Grand, State of Utah.  
Described herein as:

Township 23 South, Range 24 East, SLM

Section 7: Bed of Colorado River - S $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 8: Bed of Colorado River - S $\frac{1}{2}$   
Section 17: Bed of Colorado River - All  
Section 18: Bed of Colorado River - N $\frac{1}{2}$ NE $\frac{1}{4}$

102.99 ACRES

2. Interest of assignor in such lands 100%  
3. Extent of such interest conveyed to Assignee (Note percentage of 2.) 100%  
4. Overriding royalty reserved herein to Assignor (Note percentage only) None  
5. Overriding royalty previously reserved (Note percentage only) None

It is hereby certified that the statements made herein are true, complete, and correct to the best of the undersigned's knowledge and belief and are made in good faith.

Executed and witnessed this 5th day of April, 19 83.

WITNESS:

Willis N. Ingram  
(Lessee--Assignor)  
Betty E. Ingram  
Spouse

LESSOR--ASSIGNOR'S ACKNOWLEDGEMENT

STATE OF UTAH )  
COUNTY OF SALT LAKE ) ss.

On the \_\_\_\_\_ day of April, A.D. 19 83, personally appeared before me Willis N. Ingram and Betty E. Ingram, signer (s) of the above instrument, who duly acknowledged to me that (he, she, they) they executed the same.

My Commission Expires: 9-24-86

R. T. [Signature]  
Notary Public--Residing at: Salt Lake City, Utah

INDIVIDUAL'S ACCEPTANCE OF ASSIGNMENT  
AFFIDAVIT OF CITIZENSHIP OF ASSIGNEE

I, (we) George D. Fehr on oath, do solemnly swear that I am (we are) at the present time (a) \* native born Citizen (s) of the United States of America and of legal age, and I (we) hereby assume and agree to perform all of the covenants and obligations of said lease on the part of the lessee (s) to be kept and performed, and accept the foregoing instrument.

BY: George D. Fehr

Subscribed and sworn to before me this 5th day of April, 19 83.

My Commission Expires: 9-24-86

R. T. [Signature]  
Notary Public--Residing at: Salt Lake City, Ut.

NOTE: a\* Insert here whether native born or naturalized. If naturalized, it will be necessary to file with this office Proof of Citizenship or Declaration of Intention to become a citizen in the form of a letter or certificate of verification from Court of Issuance, and registration fee of \$1.00.

THIS DOCUMENT MAY BE DUPLICATED.



INSTRUCTIONS: Assignment must be submitted in duplicate. The original certificate, grazing lease or mineral lease must be produced with the assignment. Partial assignment permitted on mineral leases only. Total assignment -- \$10.00, Interest Assignment--\$10.00, Partial Assignment -- \$15.00.

ACCEPTANCE OF ASSIGNMENT  
(Corporate)

CERTIFICATE NO.

GRAZING LEASE NO.

MINERAL LEASE NO.

Comes Now \_\_\_\_\_, a corporation of \_\_\_\_\_

AND HEREBY ACCEPTS THE ASSIGNMENT FROM \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_

Certificate No. \_\_\_\_\_, CL No. \_\_\_\_\_, ML No. \_\_\_\_\_. which assignment is dated \_\_\_\_\_, subject to all of the covenants and obligations of said Lessee.

IN WITNESS WHEREOF \_\_\_\_\_ has executed this acceptance this  
(Officer, Agent, Attorney in fact)  
\_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
(Assignee)

BY: \_\_\_\_\_  
(Officer, Agent, Attorney-in Fact)

ASSIGNEES ACKNOWLEDGEMENT

STATE OF UTAH            )  
                              : ss  
COUNTY OF            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, personally appeared before me \_\_\_\_\_ and \_\_\_\_\_, who being by me duly sworn did say, each for himself, that (he, she, or they) \_\_\_\_\_ is an officer, agent or Attorney in fact for the assignee and is authorized to accept this assignment and has executed the same and the seal affixed is the seal of said corporation.

MY COMMISSION EXPIRES \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC, Residing at:



# ASSIGNMENT

CERTIFICATE NO. \_\_\_\_\_  
 GRAZING LEASE NO. \_\_\_\_\_  
 MINERAL LEASE NO. 39855

APPLICATION NO. 39855

The undersigned, as owner of record title interest as hereinafter specified in and to ML 39855; GL \_\_\_\_\_; Certificate No. \_\_\_\_\_ as designated, for good and valuable consideration and Ten DOLLARS does hereby assign to CRATER EXPLORATION, INC. ADDRESS: 954 East 7145 South, Salt Lake City, Utah 84047.  
 The rights, title, and interest in rights and privileges as lessee in such lands, to the extent indicated, subject to the reservation of overriding royalties as herein noted:

1. Land affected by this assignment in County of Grand, State of Utah.  
 Described herein as:

Township 23 South, Range 24 East, SLM

Section 7: Bed of Colorado River - S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 8: Bed of Colorado River - S $\frac{1}{2}$

Section 17: Bed of Colorado River - All

Section 18: Bed of Colorado River - N $\frac{1}{2}$ NE $\frac{1}{4}$

102.99 ACRES

2. Interest of assignor in such lands 100%
3. Extent of such interest conveyed to Assignee (Note percentage of 2.) 100%
4. Overriding royalty reserved herein to Assignor (Note percentage only) None
5. Overriding royalty previously reserved (Note percentage only) None

It is hereby certified that the statements made herein are true, complete, and correct to the best of the undersigned's knowledge and belief and are made in good faith.

Executed and witnessed this 11th day of April, 19 83.

WITNESS:

George D. Fehr  
 (Lessee--Assignor) **GEORGE D. FEHR**

## LESSOR--ASSIGNOR'S ACKNOWLEDGEMENT

STATE OF UTAH )  
 : ss.  
 COUNTY OF SALT LAKE )

On the 11th day of April, A.D. 1983, personally appeared before me George D. Fehr, signer (s) of the above instrument, who duly acknowledged to me that (he, she, they) he executed the same.

My Commission Expires: 9-24-86

Notary Public--Residing at:  
Salt Lake City, Utah

## INDIVIDUAL'S ACCEPTANCE OF ASSIGNMENT AFFIDAVIT OF CITIZENSHIP OF ASSIGNEE

I, (we) \_\_\_\_\_ on oath, do solemnly swear that I am (we are) at the present time (a) \* \_\_\_\_\_ Citizen (s) of the United States of America and of legal age, and I (we) hereby assume and agree to perform all of the covenants and obligations of said lease on the part of the lessee (s) to be kept and performed, and accept the foregoing instrument.

BY: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

Notary Public--Residing at: \_\_\_\_\_

NOTE: a\* Insert here whether native born or naturalized. If naturalized, it will be necessary to file with this office Proof of Citizenship or Declaration of Intention to become a citizen in the form of a letter or certificate of verification from Court of \_\_\_\_\_ and registration fee of \$1.00



INSTRUCTIONS: Assignment must be submitted in duplicate. The original certificate, grazing lease or mineral lease must be produced with the assignment. Partial assignment permitted on mineral leases only. Total assignment -- \$10.00, Interest Assignment--\$10.00, Partial Assignment -- \$15.00.

ACCEPTANCE OF ASSIGNMENT

(Corporate)

CERTIFICATE NO. \_\_\_\_\_

GRAZING LEASE NO. \_\_\_\_\_

39855

MINERAL LEASE NO. \_\_\_\_\_

Comes Now Crater Exploration, Inc., a corporation of Nevada, whose address is 954 East 7145 South, Midvale, Utah 84047

AND HEREBY ACCEPTS THE ASSIGNMENT FROM George D. Fehr of 53 East 400 South, Salt Lake City, Utah 84111

Certificate No. \_\_\_\_\_, GL No. \_\_\_\_\_, ML No. 39855 which assignment is dated April 11, 1983, subject to all of the covenants and obligations of said Lessee.

IN WITNESS WHEREOF Gregory G. Bradt has executed this acceptance this 11th day of April, 19 83 (Officer, Agent, Attorney in fact)

CRATER EXPLORATION, INC.  
(Assignee)

BY: Gregory G. Bradt  
(Officer, Agent, Attorney-in-Fact,  
Executive Vice President)

ASSIGNEES ACKNOWLEDGEMENT

STATE OF UTAH )  
COUNTY OF SALT LAKE ) SS

In this 12th day of April, 19 83, personally appeared before me Gregory G. Bradt and \_\_\_\_\_, who being by me duly sworn did say, each for himself, that (he, she, or they) he is an officer, agent or Attorney in fact for the assignee and is authorized to accept this assignment and has executed the same. ~~XXXXXX~~

MY COMMISSION EXPIRES 9-24-86

Notary Public  
NOTARY PUBLIC, Residing at:  
Salt Lake City, Utah